



A DAY OF SPLASHING AROUND ON THE CREDIT RIVER
A complete report with pictures can be found on pages 18 and 19

Focal Properties, council to seek a compromise

The ongoing legal dispute between the Halton Hills and Focal Properties Ltd., which is currently affecting all major developments in the Georgetown urban area, was clarified for council during a two-hour chronology presented by Focal solicitors Monday.

Developers of the McNally apartment complex on Park Street, one of several proposed developments stalled by the dispute over sewage and water capacity, prompted the presentation with an appeal to council that the matter be settled after more than two decades of occasional legal scuffles.

Lawyers Robert Jarvis and Spence Stewart unwound 23 years of Georgetown's planning history in a bid to justify Focal's proposal for 1,840 residential units to be developed in three phases on the community's southeastern boundary.

Council will discuss the entire matter with its own solicitor behind closed doors prior to next Wednesday's planning board meeting.

The Focal proposal continues to dominate an ongoing Ontario Municipal Board (OMB) hearing devoted to Georgetown's development problems. The firm has filed objections to several unrelated developments which require zoning and official plan amendments on the premise that the Focal subdivision should be accommodated by the expansion later this year of the Georgetown sewage treatment plant.

Linda Brown, lawyer for the McNally project, complained to council that, although her client is prepared to challenge Focal in divisional court, the objecting developers have thus far refused to participate in such legal action.

"Does Focal intend to object to all proposals?" she asked. "I submit that my client should be allowed off the hook. They, like many other ratepayers, are caught in a squeeze. If Focal is acting in good faith as they say they are, then they should indicate so by letting our application go."

Mr. Jarvis admitted that the current "difference of opinion" between Focal and the Town has become "very intense" and suggested that the problem may be Focal's failure for not explaining the proposal's background adequately.

"We believe that a proper development could only proceed if there is some form of compromise without slugging it out," he said. "It is the consensus that we arrive at a compromise, unfortunately, our slugfest seems to have caught up some other people."

Mr. Jarvis explained that Halton Hills council took no action on Focal's only presentation regarding the proposal, thus forcing Focal to either abandon its plans or appeal to the OMB. The company chose the latter route, he said, and all further chances for "meaningful dialogue" with the town were lost.

Mayor Tom Hill brought the issue to a head by asking Mr. Jarvis whether Focal would withdraw its objections to the other proposed developments if council were to express a willingness to discuss a compromise.

Mr. Jarvis admitted that he had received no directions from his client regarding the suggestion, but assured council that the objections would be lifted if a fair compromise was reached.

Mr. Stewart, hoping to prove that the current dispute arose from an initial misunderstanding, traced the history of the developer's efforts in the Georgetown area since 1954.

In that year, he explained, the Delrex company, formed by Rex Heslop and later taken over by Focal, entered into its first agreement with the town of Georgetown by which the town would both annex and service property south of what is today Rexway Drive, known then as the Reed farm.

Under the same terms, Mr. Stewart said, five more adjacent properties were added the following year. From then until 1965, however, he said, the developer had difficulties balancing the industrial-residential tax assessment ratio to the required 60-40 per cent.

The problem was solved when the developer auctioned off 175 acres of land for commercial and industrial use for \$100 per acre. The actual value, Mr. Stewart pointed out, was between \$5,000 and \$10,000 per acre, for a total "gift" to the town of \$1.5 million.

Third and fourth agreements were executed, in which Focal was released from all requirements concerning the assessment ratio. At the same time, the Wright, Hepburn, Cleave and Shays farms were conveyed, along with another 495-acre parcel, to the developer.

Following regionalization, Focal presented the new Halton Hills council with plans for a 361-acre development on the Hepburn and Cleave farms, which are still used for agricultural purposes on a rental basis.

According to the proposal, 1,020 single family units, 474 semi-detached homes and 346 townhouse apartments (at 12 units per acre) would be constructed. The completed subdivision would have its own schools, "recreation, parks and commercial outlets.

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RAIDER CAPTAIN JOHN BOYCE AND TROPHY RAIDERS WIN!

The Georgetown Chrysler Raiders claimed their eighth OHA title when they defeated the Fort Erie Mavericks, 6-5 in overtime Sunday.

The Raider win gives them the OHA Major Intermediate "A" Championship and the John Ross Robertson trophy symbolic of league supremacy. It took the Georgetown team five games to dispose of the pesky Mavericks in the league's best-of-seven championship final.

The Raiders now go against the Timmins Northstars Northland Intermediate Hockey League Champions in Hardy Cup quarter final play. The series against Timmins will be a best-of-five affair, commencing Friday night at Gordon Alcott Memorial Arena and continuing on succeeding nights until a winner is declared. All games are scheduled to get under way at 8:30 p.m. For complete details of the winning contest see story on page 14.

Former deputy-minister seeks federal Tory nod

A former provincial deputy-minister for 16 years is actively seeking the Progressive Conservative nomination for the newly-formed federal riding of Brampton-Georgetown.

Everett Biggs, a former Peel County agricultural representative and a deputy-minister of agriculture and more recently with the ministry of environment, made the announcement following his retirement April 1.

An organizational meeting for the new riding association will be held at Norval April 12 at which time Mr. Biggs said he will speak directly with area Tories. He has no idea when a nomination meeting will be held.

"I have intimate knowledge of how government works—intimately know the workings of the federal government with which I had a first hand acquaintance with the bur-

eaucracy there," Mr. Biggs said in an interview.

Mr. Biggs said he has a great concern over big government and sees room for improvement of the constitution.

"I believe the constitution drafted in 1867 to some degree as a series of compromises, in no way should be considered appropriate in 1977," he said.

"All governments can accept some responsibility for tardiness in acting on reforms, but having said that, there has not been the type of leadership in Ottawa to broach the needs of the country."

Ottawa needs to create a "climate of discussion" on the constitution and Mr. Biggs feels that the "hardness to some degree has caused the situation in Quebec."

"I believe in a strong central government in those things that should concern Canada as a whole," he added. There is

room to allow provinces more control over areas of cultural affairs where duplication with federal policies would not occur.

The Liberal regime, in continuous power since the 1930's with a lapse during the Diefenbaker years, is responsible for the present economy. "But the real serious situation has developed since Trudeau took over from Pearson."

"I am amazed people's memories are so short," he commented. "I think Mr. Trudeau is the most consummate actor in my lifetime to appear on the political scene."

Mr. Biggs said he expected more venturesome proposals in the federal budget handed down Thursday. He called the budget a "political strategy" which he believes people in Ontario and Canada should be getting tired of.

He says "it's another in-

duction of the rather callous approach of the prime minister, and those with him, that he's putting political expediency before the needs of the country at this time," by taking no positive steps aside from allowing the recovery in the United States and the international pressures to bring about an improved Canadian economy.

The next budget may contain promises of the future and present individual Canadians with tax concessions. Then, Mr. Biggs agreed, it's possible an election will be called.

Mr. Biggs called the recent Quebec white paper on language "an unfortunate" proposal, but cautioned that a white paper is still the government's statement of intent and he believes modifications will be made to legislation.

Born on a farm in Pembroke in 1921, Mr. Biggs has held a succession of key provincial government posts during his 26 years as a civil servant. He had nine years remaining be-

fore compulsory retirement.

A graduate of the Ontario Agricultural College, he is also a former inter-collegiate light heavyweight and middle-weight boxing champion. He now coaches boxing at the Bramalea Boxing Club.

Recent appointments have included chairman of the special committee on farm incomes; a member of the task force on off-track betting; a member of the 1972 United Nations conference on the environment at Stockholm; president of the Toronto Rotary Club in 1974-75; director and now vice-president of the Canadian National Exhibition; and president of the Agricultural Institute of Canada.

Since 1972 Mr. Biggs was deputy-minister of environment working under Ministers James Auld, William Newman and George Kerr. His tenure with the agriculture ministry under William Stewart resulted in a comprehensive milk market plan; the formation of the Ontario Food Council; and development of agricultural colleges at Guelph and several other centres across the province.

A veteran of the Second World War, Mr. Biggs was discharged following service in Europe as a major with the Lorne Scots.

He is married with two boys and has made his home in Brampton since 1953. Mrs. Biggs is a former Brampton councillor, program producer and director for Rogers Cable Television; and a member of the advisor, committee on journalism for Sheridan College.

Acton man waits four years, rezoning bid turned down?

Mogens Toft of Main Street North Acton, may have waited four years in vain for a council ruling that would permit him to establish a minor industrial operation, town planner Mario Venditti admitted Monday.

Mr. Toft complained to council that he is tired of the postponements that began when his application for a zoning amendment was lost in the administration shuffle that accompanied regionalization in 1974.

Despite council's decision to review the matter at its next planning board session, Mr. Venditti said that the recommendation he will present at that meeting will advise against the zone change.

Mr. Toft explained that his "four years of patience" have yet to show results. No decision, he said, has yet been made on his application, which, according to Coun. Les Duhay, would put the vacant lot

on Main Street North to a favorable use at long last.

Coun. Duhay stated that the former Acton council had considered the lot a "headache" and were, as a result, "delighted that someone was going to do something with it."

Mr. Toft claimed that the application was approved by Acton council and that he was led to expect the necessary building permit to be granted by May, 1974. Problems were presented by the administrative changeover from Acton to Halton Hills, however, and the matter was left unresolved.

Mayor Tom Hill revealed that the application had indeed been forwarded to the Ontario Municipal Board, where it was rejected because of municipal policy guarding against such "spot zoning."

Coun. Pat McKenzie pointed out, however, that the board was seeking direction for the town as to the intended use of an abutting vacant lot. If a similar industrial use could be found for the Toft lot and the neighboring property, a total area of about four acres, he said, the zone change might be allowed.

Coun. Duhay called Mr. Toft "one of the many people caught up in the transition to regional government", adding that council had had "no intention of procrastination."



EVERETT BIGGS

ICG GETS LEAVE TO APPEAL DIVISIONAL COURT RULING

The Interested Citizen's Group (ICG) has won a small legal battle in its struggle with Ontario Hydro.

The Supreme Court of Ontario granted the ICG leave to appeal a decision made March 3 by Divisional Court which upheld a hearing officer's ruling that evidence as to alternate routes for a 500kv transmission line cannot be introduced at expropriation hearings.

The inquiry officer, Donald Meyrick, who adjourned that portion of the hearings dealing with alternate routes last November, could not limit the scope of the inquiry because the order-in-council which authorized Ontario Hydro to acquire lands did not contain "specific and express statutory language relieving the inquiry officer of his ordinary duties (under the Expropriation Act)," argued ICG lawyer Ronald J. Hollis.

As the order-in-council contained no special provision to bypass the Expropriation Act, the majority of Divisional Court erred in law, Mr. Hollis told Mr. Justice Jessup, Mr. Justice Blair and Madame Justice Wilson at Osgoode Hall, Monday.

Speaking for Ontario Hydro, lawyer Thomas Marshall argued that the hearing officer's inquiry was for modifications in local areas for specific objections by specific owners and contended that neither Mr. Meyrick nor Divisional Court were in error.

However, after a brief recess, the Supreme Court ruled that an appeal could be launched. No date was set for the appeal.

After the hearing, Mr. Hollis said that had there not been one dissenting vote in the Divisional Court ruling, the appeal likely would not have been allowed. The question was a narrow one but important one, he said.

As a result of the Supreme Court's decision, the hearings in Acton yesterday (Tuesday) were adjourned. It is believed they won't reopen until late May, June or possibly September.

More than 600 tests prove negative after four diphtheria cases reported

Halton region health officials said Monday more than 600 tests for diphtheria taken following disclosure two weeks ago of an outbreak of the contagious disease have proved negative.

More than 600 throat swabs have been taken of pupils and staff at two Oakville schools and at the Oaklands regional centre for retarded children.

The tests were initiated last week after a routine throat swab taken by a family doctor showed a teaching assistant at W.H. Morden public school was a diphtheria carrier.

One week ago officials at the regional centre confirmed that three children of the centre who attend integrated classes at Morden school were in isolation confirmed as carriers of the disease.

At a press conference Friday medical officer of health Dr. Joseph Chamberlain said testing of the school populations had been undertaken at Morden and at the Bruce Lyn

school for the trainable retarded.

The press conference was told the young Oakville woman was not treated at home during the week of March 22 when the presence of a diphtheria case was learned. Earlier reports, based on conversations with health officials said the woman was under doctor's care in a family setting.

Dr. Chamberlain revealed that the woman was actually under the care of Daytona Beach, Florida, health authorities where she was vacationing during the spring school break for 12 days.

Dr. Chamberlain cautioned there is no possibility of an epidemic, downplaying comments by Halton board of health chairman George Gray who called the present situation a "diphtheria crisis."

Health officials also revealed that family doctors and health unit staff are immunizing large numbers of the public. Guidelines for immunization diphtheria and other dis-

eases have been passed to family doctors. Dr. Chamberlain reiterated his call of last week for adults to seek diphtheria booster shots if they have not been taken within the past

five years.

He said its possible for a person immunized against the disease to become carriers but the potential for fatal results are reduced because of the

toxogenic character of the disease is attacked by antibodies.

Those persons in high risk positions such as treatment of the isolation cases at the retarded children's centre will

be tested for an extended period.

The teaching assistant complained of respiratory ailments to a family physician about March 12 was given a throat swab and antibiotics which are believed to have killed the disease prior to her trip to Florida.

Results of tests taken by the Florida health officials, including a throat swab, are not yet known.

A second swab taken in Oakville on her return shows a negative result. Dr. Chamberlain said families of all the victims have been taken but no positive results have been reported.

Diphtheria is a sometimes fatal disease which causes fever, ailments similar to influenza, enlarging of the throat glands and causes difficulties in speech and swallowing resulting in some case in paralysis.

None of the reported cases have displayed the classic symptoms of the disease, he said.

What's inside

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